

ORIGINAL

FILED
DISTRICT COURT OF GUAM

NOV 17 2005 JP

MARY L.M. MORAN
CLERK OF COURT

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8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE TERRITORY OF GUAM

10 UNITED STATES OF AMERICA,) CRIMINAL CASE NO. 04-00016
11 Plaintiff,)
12 vs.) PETITION TO REVOKE
13 JAMES J. DINO,) BAIL STATUS
14 Defendant.)
15 _____)

16 Pursuant to Title 18, United States Code, Section 3143, the government petitions the
17 court to revoke the bail status of defendant JAMES DINO. Based on the attached affidavit of
18 Task Force Officer, Albert Taitano, Drug Enforcement Administration (DEA), Saipan, CNMI, is
19 it apparent that defendant JAMES DINO has not complied with his promise to cooperate with
20 DEA. Because defendant JAMES DINO has returned to the active distribution of
21 methamphetamine, and because he now faces a mandatory minimum jail sentence of twenty (20)
22 years, he represents both an ongoing danger to the community, plus a significant flight risk. The
23 government urges that court to revoke the bail of defendant JAMES DINO at this time.

24 Respectfully submitted this 17th day of November 2005.
25

26 LEONARDO M. RAPADAS
United States Attorney
Districts of Guam and NMI

27 By:


28 FREDERICK A. BLACK
Assistant U.S. Attorney

AFFIDAVIT

I, Albert Taitano, being duly sworn, do hereby state:

1. I am a Task Force Officer (TFO) with the Drug Enforcement Administration (DEA). I am currently assigned to the Saipan office in the Commonwealth of the Northern Mariana Islands (CNMI). While employed as a Task Force Officer with DEA, I have investigated numerous criminal cases for violations of Title 21, United States Code, as they apply to the United States drug laws. The information provided below is based on information I received from other TFOs and other law enforcement officers.

2 On October 28, 2005, your affiant was informed by TFO Norman Rasiang that a confidential Source of Information (hereinafter referred to as SOI) informed TFO Rasiang that he is a distributor of methamphetamine in Saipan, CNMI. The SOI also told TFO Rasiang that his/her source of supply is James DINO from Guam, whom the SOI knew from jail in Guam. The SOI also stated that he had received approximately 25 grams of methamphetamine also known as "Ice" from James DINO in August 2005.

3. On November 7, 2005, TFO Norman Rasiang and the SOI placed a recorded telephone call to James DINO and informed him that the SOI will be sending his/her right hand man to deliver \$7,000.00 to James DINO for the 25 grams of "Ice" fronted to the SOI by James DINO. The SOI also informed James DINO that his/her right hand man will purchase \$5,000.00 worth of "Ice" from James DINO when they meet in Guam.

4. On November 16, 2005, TFO Norman Rasiang and the SOI placed another recorded telephone call to James DINO informing him that the right hand man will be in Guam on November 17, 2005 and that he will contact James DINO sometime that afternoon.

5. TFO Norman Rasiang and your affiant have consulted with their counertparts from DEA, Guam, and have learned that James DINO has been on bail release from the U.S. District Court of Guam in Criminal Case No. 04-00016 from approximately April 1, 2005. Although James DINO has agreed to cooperate with DEA, at no time has he ever advised DEA that he is involved in the distribution of narcotics, nor has DEA ever authorized any narcotic distributions by James DINO.

1 6. On November 17, 2005, at about 9:30 a.m., TFO Ray M. Renguul, acting as an
2 undercover agent, contacted James DINO AKA "Jimmy" at his cellular phone number (671) 678-
3 8408. James DINO answered the phone and TFO Renguul told him that he was "Ray" from
4 Saipan. James DINO asked TFO Renguul where he was at and TFO Renguul told him that he
5 was staying at the Airport Hotel Mai' Ana and that he was currently at the AVIS Rental Car
6 Office renting a car. TFO Renguul asked if James DINO was coming to the hotel to get his
7 money (drug proceeds) and James DINO replied yes. TFO Renguul further asked what car James
8 DINO was driving and James DINO described his car as a maroon Pathfinder. TFO Renguul
9 informed James DINO that he was wearing a black T-shirt with Levis blue jeans and that he
10 would be waiting for him outside the hotel. James DINO replied okay.

11 7. At about 9:45 a.m., TFO Renguul was standing on the sidewalk by the hotel parking
12 lot and observed a maroon Nissan Pathfinder enter the hotel parking lot. TFO Renguul observed
13 the male driver, later identified as James DINO, lowering his window and asked if TFO Renguul
14 was "Ray" and TFO Renguul replied yes. TFO Renguul then informed the driver to pull in the
15 parking lot. TFO Renguul shook hands with James DINO and asked if he was "Jimmy." TFO
16 Renguul proceeded to engage in conversation with James DINO regarding the drug proceeds of
17 \$7,000.00 that James DINO was expecting from "Frank" (Cooperating Defendant) from Saipan,
18 CNMI. TFO Renguul told James DINO that he was carrying \$7,000.00 for the payment on a
19 previous deal between James DINO and "Frank." TFO Renguul also told James DINO that he
20 was carrying an additional \$5,000.00 to purchase crystal methamphetamine (Ice). James DINO
21 told TFO Renguul to hand him the \$7,000.00 that "Frank" owed him from the previous deal and
22 that TFO Renguul should wait for him to pick up and bring the \$5,000.00 worth of Ice. TFO
23 Renguul then asked if James DINO had any Ice on him to which he replied "No." James DINO
24 asked TFO Renguul to enter the vehicle at which time TFO Renguul entered the front passenger
25 side.

26 8. TFO Renguul asked how much he was going to charge him for a gram of Ice. James
27 DINO said \$350.00. James DINO asked TFO Renguul how much money TFO Renguul had on
28 him and TFO Renguul told him that he had the \$7,000.00 "Frank" owed from the previous Ice

1 deal and \$5,000.00 for the additional Ice purchase. James DINO advised TFO Renguul that from
2 a previous conversations he had with "Frank" was that he will take \$1,000.00 out of the
3 additional \$5,000.00 TFO Renguul brought in order to make up the actual debt of \$8,000.00
4 "Frank" owed him. TFO Renguul told James DINO that he disagreed with James DINO's
5 proposal and that he wanted \$5,000.00 worth of Ice. James DINO then agreed with TFO
6 Renguul. TFO Renguul then asked how much Ice James DINO was going to sell him and James
7 DINO told TFO Renguul that he (DINO) would give TFO Renguul 15 grams of Ice and that TFO
8 Renguul should give James DINO the \$5,000.00 hence he could drive and pick up the 15 grams
9 for TFO Renguul. TFO Renguul instructed James DINO that he (TFO Renguul) would go to his
10 hotel room to get the money and James DINO agreed to wait in his car. TFO Renguul then
11 exited James DINO's car and walked away. James DINO was then arrested.

12

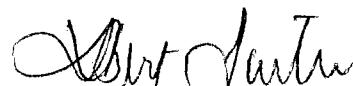
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16

17 TERRITORY OF GUAM)
18 City of Hagatna,) ss.
19)



ALBERT TAITANO
Task Force Officer, DEA, Saipan, CNMI

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SUBSCRIBED AND SWORN to before me on this 17th day of November 2005.

